

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1579-968

C# M#

HAYNES et al

Serial No. 10/518,523

TC/A.U.

Examiner:

Filed: December 21, 2004

Date: September 20, 2005

Title: IGG FC/HIV-GP120/C3D FUSION PROTEIN

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED
OPIE/IAP

OCT 11 2005

Sir:

SUBMISSION

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re PATENT APPLICATION OF Confirmation No. 7798
HAYNES et al Atty. Ref.: 1579-968

Serial No.: 10/518,523 TC/A.U.:

Filed: December 21, 2004 Examiner:

For: IGG FC/HIV-GP120/C3D FUSION PROTEIN

* * * * *

September 20, 2005

SUBMISSION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an Exclusive Substitute Power of Attorney relating to the above-identified application.

Respectfully submitted,

NIXON & VANDERHYE, P.C.

By Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYNES et al

Serial No. 10/518,523

Filed: December 21, 2004

For: IgG Fc/HIV-gp120/C3d FUSION PROTEIN

Confirmation No. 7798

Atty. Ref.: 1579-968

Group:

Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, DC 22313-1450

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY
AND EXCLUSIVE PROSECUTION HEREAFTER BY
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

DUKE UNIVERSITY, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints Nixon & Vanderhye, P.C., 901 North Glebe Rd., 11th Floor, Arlington, Virginia 22203-1808, telephone number (703) 816-4000, facsimile number (703) 816-4100, and the attorneys of: **Customer Number 23117**, individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

DUKE UNIVERSITY, also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions

HAYNES et al
Serial No. 10/518,523

communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

Certificate Under 37 C.F.R. §3.73(b)

DUKE UNIVERSITY, a corporation having a place of business at, Durham, North Carolina, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee (copy attached).

The undersigned (whose title is typed below) is empowered to sign this statement on behalf of DUKE UNIVERSITY.

DUKE UNIVERSITY

August 31, 2005 By: 
Date Name: Robert L. Taber
Title: VIce Chancellor, Corporate and Venture Development

Nixon & Vanderhye P.C.
1100 North Glebe Road
Eighth Floor
Arlington, VA 22201-4714

Attorney Dkt: 1579-968

A S S I G N M E N T
of U.S. Origin Patent Application

1) Barton F. HAYNES
2) David C. MONTEFIORI

(hereinafter collectively ASSIGNOR), have made an invention known as Dkt. 1579-968 and entitled: IgG Fc/HIV-gp120/C3d FUSION PROTEIN for which an application for Letters Patent of the

United States

was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;
 was filed on December 21, 2004, U.S. Application No. 10/518,523, which is a 371 of International Patent Application No. PCT/US2003/22917, filed July 23, 2003, which claims priority from U.S. Provisional Appln. No. 60/397,605, filed July 23, 2002;

AND WHEREAS DUKE UNIVERSITY, Durham, North Carolina 27710

(hereinafter ASSIGNEE), desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its entire right, title and interest to the said invention in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, and foreign counterparts thereof, together with the

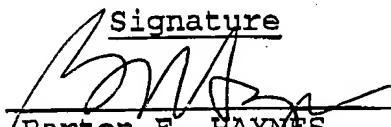
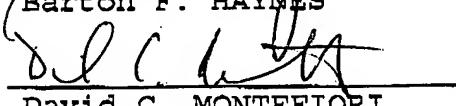
right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

The undersigned hereby authorize(s) Nixon & Vanderhye P.C. of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date(s) below indicated.

| | <u>Signature</u> | <u>Date Signed</u> | <u>Witness</u> |
|----|-------------------------------------------------------------------------------------|--------------------|----------------------|
| 1) |  | <u>1/26/05</u> | <u>Deege Lansen</u> |
| 2) |  | <u>1/26/05</u> | <u>Donald Lansen</u> |

Barton F. HAYNES
David C. MONTEFIORI